

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 424, FOOD AND DRUGS ACT.

MISBRANDING OF "TUCKAHOE LITHIA WATER."

On or about July 9, 1908, the Tuckahoe Mineral Springs Company, a corporation, Northumberland, Pa., shipped from said State of Pennsylvania to the city of Washington, in the District of Columbia, a quantity of "Tuckahoe Lithia Water." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said Tuckahoe Mineral Springs Company, and the party from whom the samples were procured, were afforded opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution. In due course a criminal information was filed in the District Court of the United States for the Middle District of Pennsylvania charging the above shipment and alleging that the product was misbranded within the meaning of the said act, because it bore a label containing, inter alia, the following words and statement, to wit, "Tuckahoe Lithia Water," and "This water is a sure solvent for calculi, either of the kidneys or liver, especially indicated in all diseases due to uric acid diathesis, such as gout, rheumatism, gravel stone, incipient diabetes, Bright's Disease, inflamed bladder, eczema, stomach, nervous, and malarial disorders," which words and statement were false and misleading and calculated to deceive and mislead the purchaser, for the reason that the said article was not a sure solvent for calculi of the kidneys or liver, as above alleged to be.

On May 3, 1910, the defendant entered a plea of guilty to this information, and the court imposed a fine of \$25 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*